

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE**

Carla Gericke,

Plaintiff

v.

Case No: 1:11-cv-00231-LM  
JURY TRIAL DEMANDED

Town of Weare, et al.,

Defendants.

**ASSENTED-TO MOTION TO FILE RESPONSIVE PLEADING BY JANUARY 6, 2012  
BY DEFENDANTS  
TO PLAINTIFF'S MOTION FOR JUDGMENT ON THE PLEADINGS AS TO COUNTS I  
THROUGH IX OF PLAINTIFF'S COMPLAINT**

**NOW COME** all Defendants, by their authorized counsel, Gallagher, Callahan & Gartrell, PC, and file this Assented-To Motion to File a Responsive Pleading by January 6, 2012 to Plaintiff's Motion for Judgment on the Pleadings as to Counts I through IX of Plaintiff's Complaint, and say as follows:

1. Plaintiff filed a Motion for Judgment on the Pleadings as to Counts I through IX of Plaintiff's Complaint dated December 2, 2011.
2. By assent of the parties' counsel, Defendants will file a responsive pleading by Friday, January 6, 2012 to Plaintiff's Motion for Judgment on the Pleadings.
3. Granting this assented-to motion will not affect any other deadlines regarding this matter.

**WHEREFORE**, Defendants respectfully request the following affirmative relief:

A. That the Court grant this assented-to motion to allow Defendants to file a responsive pleading by Friday, January 6, 2012 to Plaintiff's Motion for Judgment on the Pleadings;

B. Grant such further relief as may be proper and just.

Respectfully submitted,

**TOWN OF WEARE, NH;  
WEARE POLICE CHIEF GREGORY C. BEGIN;  
WEARE POLICE LIEUTENANT JAMES J.  
CARNEY; WEARE POLICE SERGEANT JOSEPH  
KELLEY, WEARE POLICE OFFICER BRANDON  
MONTPLAISIR, Individually and Officially**

By Their Attorneys,

**GALLAGHER, CALLAHAN & GARTRELL, P.C.**  
214 N. Main Street  
P.O. Box 1415  
Concord, NH 03302-1415  
(603)228-1181  
(603)224-7588 (facsimile)

December 7, 2011  
Date

/s/ Charles P. Bauer  
Charles P. Bauer, Esquire (NH Bar #208)

**LOCAL RULE 7.1**

I, Charles P. Bauer, hereby certify that Attorney Stephen T. Martin, counsel for Plaintiff, assented to this pleading.

December 7, 2011  
Date

/s/ Charles P. Bauer  
Charles P. Bauer, Esquire (NH Bar #208)

**CERTIFICATE OF SERVICE**

I, Charles P. Bauer, hereby certify that a copy of the foregoing was sent to Stephen T. Martin, Esquire via ECF.

December 7, 2011  
Date

/s/ Charles P. Bauer  
Charles P. Bauer, Esquire (NH Bar #208)